



American Arbitration Association® Administrative Review Council

Overview and Guidelines

A. Overview

The Administrative Review Council (ARC or Council) will act as the administrative decision making authority for the AAA® to resolve certain administrative issues arising on large, complex domestic cases. Administrative issues that should be submitted to the Council, as further outlined in Section D below, include objections to arbitrators, locale determinations and whether the filing requirements contained in the AAA's Rules have been met. At the discretion of the chairperson or vice chairperson, the Council may review these issues arising in other AAA administered cases.

The ARC has been developed to ensure that case issues are reviewed and resolved at a high level by individuals within the AAA with significant arbitration experience. The primary responsibility of this Council is to ensure that decisions are made after careful consideration of the issues presented and the parties' contentions, while upholding the integrity of the arbitration process and retaining the parties' confidence in the fairness of the process.

B. Structure

The ARC will include at least five voting members, including a chairperson and a vice chairperson, constituted from among internal, divisional and corporate executives, or external members such as retired AAA executives, AAA board members or other individuals with arbitration expertise. The ARC may also include additional non-voting members as determined by the chairperson. A member of the legal department will also serve as a non-voting liaison to the ARC. At least one voting or non-voting member must be part of the AAA's Senior Leadership team.

C. Meeting Schedule

The Council will establish weekly meetings to hear and decide issues raised for review. Meetings may take place via conference call or any other means. At the discretion of the chairperson or vice chairperson, additional Council meetings may also be scheduled based on workload and particular case needs.

D. Scope of Authority

The Council will act as the administrative decision making authority for the AAA's large, complex domestic caseloads to resolve arbitrator objections, locale determinations, and whether the filing requirements contained in the AAA's Rules have been met. The AAA Vice President or Director in charge of the AAA's office where the case is being administered has the discretion whether or not to request that the ARC decide if the filing requirements contained in the AAA Rules have been met. The Council may also review arbitrator objections, filing requirement issues, and locale determinations arising in other AAA administered cases subject to approval by the chairperson or vice chairperson to accept these submissions.



For the purposes of this Council, filing requirements disputes are those disputes that could impact the AAA's determination whether or not to administer a matter, including signatory issues or other questions regarding whether a party has met the AAA's filing requirements. The AAA is not authorized to make arbitrability determinations, however the ARC will review disputes about whether a matter has been properly filed with the AAA. The ARC may determine that the AAA will proceed to administer an arbitration, with the direction that the parties may present their jurisdictional or arbitrability dispute to the arbitrator once appointed.

E. Issue Submission

1. Issues may be submitted to the ARC by various AAA staff with the title Assistant Vice President-Director or above.
2. Upon the discretion of the chairperson or Council, submissions involving issues outside the Council's scope of authority or incomplete submissions may be rejected and returned to the submitting executive.
3. Upon the discretion of the chairperson or Council, the chairperson/Council may request that the submitting executive gather further information from the parties or arbitrator prior to a Council decision being made.

F. Decision-Making

The Council chairperson or their designee to lead a call will circulate a list of the cases to be reviewed and decided prior to each meeting of the ARC.

1. All participating Council members must have reviewed the necessary information prior to the call.
2. Any Council member wishing to be heard on a case issue will be given the opportunity to present their views and supporting rationale.
3. Any Council member who submitted the issue for review will not vote on the issue but may attend the Council meeting.
4. Decisions will be made by a panel of at least three Council members designated by the chairperson or vice chairperson.
5. Decisions will be made in accordance with the ARC Review Standards.
6. Decisions will be by a majority vote of the designated panel of Council members assigned to a case, and the results will be promptly announced to the appropriate case management staff.
7. All decisions of the Council will be confirmed in writing and include the following:
 - a. Case number
 - b. Issue presented
 - c. Date of the conference call
 - d. Decision



G. Escalation

Certain issues may be escalated for additional review to the entire Council, or to a Senior Management Committee.

1. Escalation to the entire Council. For any non-unanimous ARC decision, any Council member may request that the entire Council hear and decide the pending issue. For matters referred to the entire Council, at least five voting members of the Council must be present to vote and consider a matter.
2. Escalation to Senior Management Committee. The Senior Vice President representative to the Council or the legal department liaison may raise a pending issue to the AAA's General Counsel who will convene a committee of the AAA senior management for further consideration. Any decision made by the senior management must be by a majority.